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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Fifty-seventh session

Summary record (partial)* of the 1194th meeting
Held at the Palais des Nations, Geneva, on Friday, 14 February 2014, at 3 p.m.

Chairperson: Ms. Ameline

Contents

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Combined third and fourth periodic reports of Kazakhstan (continued)

* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined third and fourth periodic reports of Kazakhstan (continued)
(CEDAW/C/KAZ/3-4; CEDAW/C/KAZ/Q/3-4 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Kazakhstan took places at the Committee table.*

2. **Ms. Pires** asked whether the target of 30 per cent of women in political decision-making positions under the current gender equality strategy would be reached by 2016. If not, were there plans to address the issue?

3. **The Chairperson**, speaking in her capacity as an expert, asked whether there was a specific parliamentary committee on women's rights and gender equality.

4. **Ms. Tarassenko** (Kazakhstan) said that steady progress was being made towards reaching the 30 per cent target under the gender equality strategy by 2016. To that end, work was being done to ensure that gender policies were implemented at the local level and to provide women with leadership training. There had been a significant improvement in women's representation in elected office, with around a quarter of legislative and a fifth of executive positions held by women. Women parliamentarians represented the interests of Kazakhstan at international forums such as the Inter-Parliamentary Union Assembly and one served as the vice-chairperson of the Asian Forum of Parliamentarians on Population and Development. The parliamentary Committee on Social and Cultural Development was the body responsible for dealing with gender equality issues.

5. **Ms. Bekbossynova** (Kazakhstan) said that five members of Parliament were currently working closely within the Human Rights Commission under the Office of the President to ensure that legislation on gender equality was properly implemented.

6. **Ms. Jahan** asked for details of the preferential treatment given to foreign women married to Kazakh nationals who wished to acquire nationality or permanent residence. What citizenship status was afforded to children above 14 years of age born to a stateless mother and Kazakh father without permanent residence, and how did the law provide for the protection of children of stateless parents? While all persons had a legal right to apply for naturalization, in practice long, complicated and expensive administration procedures prevented many people from applying. What temporary special measures were taken or envisaged to ensure that stateless women and girls had access to education, health services, housing and employment and exercised their right to freedom of movement? What was being done to reduce and prevent statelessness, raise awareness among stateless women of residency and birth registration procedures and streamline those procedures? The State party might consider mobile birth registration clinics in order to reach remote rural areas. She encouraged the State party to adopt measures within the framework of the agreement signed between the Office of the United Nations High Commissioner for Refugees and UN-Women to promote the empowerment of refugee women.

7. **Ms. Bekbossynova** (Kazakhstan) said that the State party had ratified the Convention on the Nationality of Married Women under which men and women had the same citizenship rights; women married to Kazakh citizens who sought to acquire citizenship and permanent residency permits were afforded preferential treatment.

8. **Ms. Azzimova** (Kazakhstan) said that under the Citizenship Act Kazakh nationals residing outside the country or married to non-nationals maintained their citizenship. Referring to paragraph 284 of the periodic report, she added that children of a Kazakh citizen and a non-national or stateless person acquired Kazakh nationality irrespective of

their place of birth. Births needed to be registered within two months, which could be done electronically. Birth certificates were usually produced within two days, with a maximum period of one month if details needed to be verified. Under the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters, official documents produced by the Kazakh authorities were recognized by other States of the Commonwealth of Independent States.

9. **Ms. Toleghaliyeva** (Kazakhstan) said that free health care was guaranteed to all Kazakh nationals and a bill to extend primary health care to refugees was currently under consideration. At present, medical care in the event of emergency and of a risk of infectious disease was provided to all persons in the country.

10. **Ms. Jahan** asked whether children born to stateless parents in Kazakhstan were registered at birth, in accordance with the Convention on the Rights of the Child; what was being done to streamline the naturalization process for stateless women; and whether the pending bill on health care covered stateless women.

11. **Ms. Toxeitova** (Kazakhstan) said that all permanent residents in Kazakhstan, including stateless persons, were entitled to social benefits. All such persons were issued an identity card with a personal identification number which was entered into an automated database linked to the relevant government departments, including the Ministry of Justice and the civil registry office. The system thereby enabled all residents to apply online for social benefits, including childbirth benefits, with their identification number.

12. **Ms. Azzimova** (Kazakhstan) said that proof of place of residence was required for a birth certificate to be issued in Kazakhstan.

13. **Ms. Bekbossynova** (Kazakhstan) said that the bill on health care would extend free health care to refugees.

14. **Ms. Acar**, commending the high level of education among girls and women in Kazakhstan, requested details on the trends in girls' education and the subject areas chosen by girls in secondary vocational and technical training. Given the correlation between the school dropout rate and early marriage, she asked the delegation for data on the dropout rate disaggregated by gender, region and ethnicity and information on policies on school dropouts. Specific programmes for girls who had dropped out of school also needed to be developed to promote women's education.

15. **Ms. Gbedemah** asked what temporary special measures had the State party envisaged adopting to follow up on the Committee's recommendation to encourage diversification of the educational choices of boys and girls and to introduce girls to the possibility of studying subjects such as science and engineering. What were the social and economic factors that led girls to drop out of school and what was being done to address the root causes of dropping out? How many men and women were enrolled in gender studies courses at higher educational institutions? She asked how many girls entered into early marriage; what was the prevalence of such marriages in urban and rural areas; at what stage did girls tend to drop out of school; and what measures were in place to prevent them from doing so. Lastly, she asked whether there were plans to raise awareness about the issue of early marriage in schools by providing sex education, including reproductive health rights, life skills courses and incentives to keep girls in school.

16. **The Chairperson**, speaking in her capacity as an expert, asked about the involvement of women in new technologies in Kazakhstan.

17. **Ms. Zou** Xiaoqiao said that, despite the reduction in the gender pay gap, it remained a cause for concern. The national gender equality strategy did not appear to include specific measures to provide women employed in low-paid work with vocational and technical training. What long-term measures were taken to close the pay gap and to address the

occupational segregation of men and women? She asked what steps had the Government taken to support self-employed women and ensure that they were covered by the social security system, especially rural women in the household sector and urban women in the informal sector, who were particularly vulnerable. Women were barred from taking up many hazardous occupations and she asked whether the Government planned to analyse the impact of employment restrictions and improve working conditions in order to allow women to be employed in those sectors. She encouraged the Government to legislate against sexual harassment in the workplace and provide legal assistance to victims.

18. **Ms. Bekbossynova** (Kazakhstan) said that education was free and compulsory; female dropouts could receive further training under the national employment programme for the period up to 2020.

19. **Mr. Balykbayev** (Kazakhstan) said that Kazakhstan was committed to ensuring equal rights to education for men and women. Thirty per cent of technology and science students were women. There were several reasons for the relative unpopularity of those fields among women, such as the perception that they involved arduous or hazardous work and women's traditional preference for education and the humanities.

20. The dropout rate among girls was only 2 per cent and owed principally to early marriage. During the previous 10 years, approximately 30,000 girls between the ages of 15 and 18 had been married. The discrepancy between national and United Nations statistics on early marriages existed because the United Nations statistics included unofficial religious marriages. The Government was aware of the problem, and although no specific measures existed to educate the girls affected, evening classes and remote learning programmes were open to all.

21. Several courses on gender had been developed and were available to students in education establishments across the country. Two research institutes were involved in the development of a policy on gender education. They had examined specialized gender programmes, devised a comprehensive methodological approach for high schools, published textbooks and organized an annual conference on gender education.

22. **Ms. Zholdybayeva** (Kazakhstan) said that programmes to improve the business and management skills of rural women and increase the number of women setting up small- and medium-sized enterprises had been established. A business road map had been drawn up and guidance on setting up a business had been given to 31,000 women, 80 per cent of whom lived in rural areas. Women in remote regions had access to training and counselling services through mobile business development centres.

23. **Ms. Toxeitova** (Kazakhstan) said that the gender pay gap had narrowed since 2010. Furthermore, the salaries of public sector workers, the majority of whom were women, would be increased significantly and efforts were being made to recruit more men into the public sector.

24. In 2011, a nationwide employment programme had been established to provide jobs for the unemployed, self-employed and vulnerable population groups through infrastructure projects in small towns and cities. Additionally, those who wished to work in a particular sector could receive the relevant training for free; to date, several thousands of people had received such training, including many in rural areas. The Government was helping citizens who so wished to move from economically deprived areas and resettle in more developed parts of the country. Furthermore, people in such deprived areas were provided with housing, employment, education and other assistance.

25. Women were encouraged to work after they had had children. Both employed and unemployed mothers received between 50,000 and 90,000 tenge on the birth of a child, as well as a monthly allowance that increased after their fourth child.

26. **Ms. Bekbossynova** (Kazakhstan) said that the social and economic factors causing school dropouts affected boys and girls alike. Women were prohibited from certain occupations in order to protect their health, especially their reproductive health. Nevertheless, the Government would take into consideration the Committee's recommendations concerning the working conditions in hazardous or arduous occupations so as to open up more professions to women.

27. **The Chairperson**, speaking in her capacity as an expert, said that an improvement in working conditions would be preferable to prohibitions against women's employment in certain fields.

28. **Ms. Nwankwo** said that the lack of disaggregated data on drug abuse meant that the extent of the problem could not be evaluated and women-specific responses and treatment could not be developed. She asked whether Kazakhstan planned to collect disaggregated data on drug use, including HIV/AIDS infections, whether it planned to conduct a nationwide study of the impact of its drug policies on the rights of women and whether social protection mechanisms existed to protect women drug users from abuse and provide access to treatment. She wished to know whether the State party would ensure free access to contraception, particularly in rural areas, given that the high abortion rates indicated that abortion was being used as a method of contraception. She asked how sex education could be used to raise adolescents' awareness of reproductive health issues and ensure their access to decent sexual and reproductive health services.

29. While the State party's progress in preventing vertical HIV transmission was highly commendable, undocumented women were unable to access antenatal services and the increase in new HIV cases significantly exceeded population growth rates. She asked whether the Government envisioned conducting research to identify the underlying reasons for dangerous behaviour and measures to supplement existing prevention programmes and providing access to antenatal services, free HIV testing and antiretroviral drugs during pregnancy for vulnerable women. She requested clarification on the provision of the law that called for the prosecution of patients who refused to disclose the possible sources of their infections and encouraged Kazakhstan to repeal the provision.

30. **Ms. Bareiro-Bobadilla** said that she was concerned that increases in social benefits were used to encourage women to have more children and titles such as "heroine mother" were granted to women with many children. She requested information regarding the purpose of those measures, which did not promote the independence of women. She wished to know whether it fell to women to care for children, the sick and the elderly and the extent to which State institutions fulfilled that role. Although women were not prevented from accessing credit, and statistics showed that the number of women doing so was increasing, a comparison with men would be useful. She also wished to know how easy it was for women to access credit in practice. Lastly, she asked how women were encouraged to participate in sport and the arts.

31. **Ms. Gabr** asked for information on microcredit, particularly regarding rural women. She wished to know what percentage of the female population benefitted from the medical trains that provided assistance to rural communities and how many rural women were the victims of domestic violence. She sought clarification of women's property, water, inheritance and land rights and the impact that stereotypes had on those rights. She requested disaggregated data on elderly persons, women with disabilities and stateless women, whose basic rights were sometimes violated, and asked what basic services they received, particularly mental health services.

32. **Ms. Jahan** said that elderly women and women with disabilities faced multiple discrimination in the State party. They were more greatly affected by isolation, domestic violence and the stigma attached to their condition than did their male counterparts. There

were almost twice as many women as men over the age of 60 in Kazakhstan. Drawing attention to the Committee's general recommendation No. 27, she asked whether the State provided special services or paid social welfare benefits to elderly women who had not been in the workforce.

33. The situation of women with disabilities in the State party, to the extent that it could be assessed on the basis of the scant available data, left a great deal to be desired. She asked whether legislation on the social protection of persons with disabilities was gender sensitive and whether any NGOs worked with women with disabilities. She requested data illustrating the extent to which such persons had access to education, health care, training and employment opportunities. She asked whether they benefitted from job quotas in companies or scholarships to universities and technical schools and whether any State benefits were allocated specifically to women with disabilities. She also wished to know why the State party had not ratified the Convention on the Rights of Persons with Disabilities.

34. **Ms. Bekbossynova** (Kazakhstan) said that access to free health care was a constitutional right. Free pharmaceuticals were available to anyone with circulatory disorders. Noting that more than 40 per cent of the country's population lived in rural areas, she said that a system of microcredits enabled rural women in particular to start small businesses.

35. **Mr. Lepekna** (Kazakhstan) said that there were 39,000 drug addicts in Kazakhstan, around 3,000 of whom were women. Drug abuse was considered an administrative offence but in practice that meant only that users who consumed drugs in public places were subject to arrest. Drug addicts who sought medical treatment were not prosecuted. The incidence of domestic violence in rural areas was comparable to that reported in cities.

36. **Ms. Toleghaliyeva** (Kazakhstan) said that treatment for drug addiction was available to all free of charge. A pilot methadone maintenance treatment programme was under way, with the involvement of the Global Fund to Fight AIDS, Tuberculosis and Malaria. Drug addicts not only received free treatment but were also kept under observation. Since 1991, around 20,000 people had been registered as being HIV positive. Ninety per cent of them, including all infected pregnant women and children, were covered by antiretroviral treatment programmes. Only 300 pregnant women had been registered as HIV positive in 2013 and they had all received treatment, including for the prevention of mother-to-child transmission. All women for whom pregnancy represented a threat to their health received contraceptives free of charge. The possibility of making innovative hormonal treatment available to sexually active female minors was being studied by the Ministry of Health and the Ministry of Finance. In order to provide sexually active teenagers with confidential medical and legal assistance, 74 youth centres had been set up around the country. Reproductive health education was provided in schools in biology classes. Pregnant migrant women and their children were entitled to free medical care, regardless of their nationality.

37. **Ms. Bekbossynova** (Kazakhstan) said that, under a Government programme, pensioners aged 50 years and above could be placed in gainful employment with decent pay while continuing to receive a pension.

38. **Ms. Zholdybayeva** (Kazakhstan) said that in 2013 alone around 4,500 women entrepreneurs in rural areas had received financial aid and that some 50,000 rural women had benefitted from consultations with business advisors. Microcredit was available to men and women, mostly in rural areas, under equal conditions and at interest rates of around 6–7 per cent. Business loans at interest rates of up to 14 per cent were also available.

39. **Ms. Toxeitova** (Kazakhstan) said that the Government had undertaken a series of programmes to help women with disabilities to integrate fully into society and to provide

them with State support. Many had found work under the programmes and a number of them acted as advisers to local authorities.

40. **Ms. Bekbossynova** (Kazakhstan) said that the traditional Kazakh family was big and that it was a matter of State policy to encourage couples to have more children. While women with up to three children could generally return to work, those who had more children tended to stay at home. Moreover, large families often lived on low incomes. For those reasons, State subsidies per child increased from the fourth child on.

41. **Ms. Toxeitova** (Kazakhstan) said that a supplement was paid to families with six or more children.

42. **Ms. Leinarte**, referring to paragraph 527 of the State party's periodic report, said that the exceptions made for lowering the official minimum age for marriage seemed to suggest that marriage between persons under 18 years of age was essentially a private matter and thereby to all intents and purposes allowed by the State. She asked the delegation to clarify the meaning of paragraph 534 of the report, which stated that forced marriage was not a punishable offence under the Criminal Code, in apparent contradiction with paragraph 531. She said that she would like to know what constituted a traditional marriage in the State party and whether women were protected in case of divorce if such marriages were not registered. The Committee had been informed that, although polygamy was prohibited by law, the practice was widespread and that there had even been attempts to have it legalized. Noting that, according to the periodic report, Parliament was considering a new draft family code, she asked what its current status was and what amendments were being proposed.

43. **Ms. Azzimova** (Kazakhstan) said that a new Marriage and Family Code had been adopted in December 2011. Overall, the number of early marriages taking place in the State party had remained steady over the previous five years. Statistics indicated that they tended to be somewhat less common in the north and some southern parts of the country. In 87 per cent of such marriages, only the woman was under 18 years of age.

44. **Ms. Kassenova** (Kazakhstan) reiterated that men and women were equal before the law and said that more than half of the divorce proceedings in 2013 had been initiated by women. More than 90 per cent of child support requests in the same period, along with 47 per cent of demands for ownership of marital property, had been filed by women. The interests of men and women were accorded equal weight before the courts.

45. **Ms. Bekbossynova** (Kazakhstan) said that Kazakhstan was a secular State and that all traditional marriages must be registered with the appropriate State authorities.

46. **Ms. Azzimova** (Kazakhstan) said that forced marriages were not permitted under the law and therefore entailed no legal obligation on the part of spouses. So-called traditional marriages did take place in the State party, but only spouses whose marriage was registered with the civil authorities were entitled to the protection of their rights under the law. Amendments to family law and to legislation on the enforcement of penalties introduced in January 2014 provided for stiffer administrative fines where a former spouse failed to meet his or her obligation to provide child support. Non-payment of child support had previously been considered a criminal offence only when it resulted from bad faith. That notion had been abandoned and all gaps in the law regarding the payment of child support had thus been closed.

The discussion covered in the summary record ended at 4.55 p.m.